

BEST AVAILABLE COPY

of text having a numbered word and continuing through a last selected word of a last line of text having a last sequentially numbered word, wherein each sequential number identifies a registered position of a numbered word which is distinct from the registered position of each other sequentially numbered word in the registration document.

Please amend claim 12 as follows:

12. The document of claim 11 wherein said [select] sequentially numbered words are superscript numbered at the top right thereof.

Please amend claim 16 as follows:

16. The document of claim 11 wherein the [progressive] sequential number identifying a sequentially numbered word corresponds to the position of the word numerically from the start of the document.

REMARKS:

Reconsideration of the above-identified application is respectfully requested.

APPENDIX I comprises a clean copy of amended claims 11, 12 and 16 for review by the Examiner.

BEST AVAILABLE COPY

Initially, Applicant acknowledges with appreciation the indication of allowance of claims 1-10, 17 and 18 in this application.

Claims 11, 12 and 16 have been amended to clarify the recitation thereof. Basis for the amendments is contained throughout the specification and claims as originally filed.

Numbered Paragraph 2 of the Official Action, rejects claims 11-13 and 16 under 35 USC 103(a) as being unpatentable over EPO Application 0817153A1 to Lin. It is submitted that the invention of claims 11-13 and 16, as amended, is neither disclosed nor obvious under the meaning of 35 USC 103(a), from the disclosure of Lin.

The invention of the present application comprises a word registration document, which uses sequential numbering of words comprised therein to identify the physical location of words in the document.

The purpose of the sequential numbering is to register position of words to a particular location in the document, to enable convenient visual locating of a particular word in a particular position in a textual document containing the same or similar words in different locations.

The importance of the invention is as a teaching tool for helping those who have numerical identification skills, but have difficulty identifying and locating words, learn to read.

BEST AVAILABLE COPY

The cited Lin patent discloses a document containing various alphanumeric (as distinct from numeric) codes printed beside words or sentences, the code corresponding to what is described as relevant data and additional remarks stored in a compact disk. The code is entered into a device by means of alphanumeric key pad enabling the reader of the document to access the relevant data and additional remarks provided by a companion CD or the like reference means.

There is no indication in the Lin disclosure that the code presented in a document is progressively numbered, or that the same code is used to designate word position. Indeed, the code as presented by Lin is specific to the meaning of a word or of a term or sentence, which meaning is carried throughout the document wherein the same word, terms or sentences are present. The point is, the alpha-numeric code of Lin is merely a convenient footnote reference designation which is used to trigger release of further data or information relevant to the word assigned the alphanumeric code. There is no hint nor indication that the relevant information provided registers location of the word in the document or that the data or information can be used to direct a reader to a particular location in a document.

Applicant points out that for a disclosure to be sufficient to render a claimed invention obvious under 35 USC 103(a), such disclosure must provide some suggestion to the

reader which would lead one of ordinary skill in the art toward the invention said to be obviated.

Lin merely constitutes a disclosure of a document footnoting system which provides easy recovery of separately recorded information and/or other data concerning a footnoted word or the like. No disclosure of any type is made in Lin of a need or even a use for determining physical position of a word in a document. No disclosure of any type is made of a need to have words sequentially numbered in a document or a reason to have same for the purposes of the Lin system or any other system. No disclosure is made of how the alphanumeric code can be used to find physical positions of words in Lin. No disclosure is made of a group benefit to registration, indeed the apparent advantage of Lin is independent use.

The fact is that the use of numbering words within a document as claimed in the present invention is a wholly different use than that of Lin and is a use which is neither disclosed or in any way hinted at in either Lin or any of the other cited references. If one looks at the use of the numbering systems disclosed in Lin and/or declared to have taken Public Notice of by the Examiner, it would appear contrary to the teachings of Lin and the Public record to have different numbers appear on the same word repeated in the same sentence, paragraph or page which have the same meaning or textual connotation. The same is true of any footnote which is specific to a particular

word, except in the rare instance that a word has two different meanings which can provide two different contextual connotations. The invention of independent claim 11 as amended always precludes use of the same number on the same word thereafter repeated in the text.

In view of the foregoing it is submitted that the invention of independent claim 11, as amended, and accordingly all of dependant claims 12-16, are distinguished from any apparent disclosure of the Lin reference and by the specific recitation of the claims is contrary to and not obvious from any reasonable interpretation which can be gleaned from the direction of the disclosure of Lin.

Numbered paragraph 3 of the Official Action rejects claims 14 and 15 under 35 USC 103(a) as being obvious to one of ordinary skill in the art over Lin in view of Zand.

Initially, Applicant refers the USPTO to the previous discussion regarding the Lin reference in the rejection of claims 11-13 and 16. It is submitted that the failure of Lin to obviate independent claim 11, precludes the rejection of dependant claims 14 and 15.

The Zand reference, discloses a complex system of identification of different letters of the alphabet by students wherein background color coding of lines containing different letters are employed together with color coded frames surrounding

particular letters to focus the student on differences between the surrounded letter and overlaid similar letters.

In the Zand reference, the rectangular box is specific to aligning various letters of the alphabet in an organized arrangement to enable ready comparative focus by the student back and forth between the same or different letters in different boxes. It is specifically pointed out that Zand does not disclose arranging text in a framed box.

The invention of claims 14 and 15 of the present invention, provides for a rectangular frame around each line of text in a document. The purpose being to assist the reader in identifying location of a numbered word along one of a plurality of lines of text.

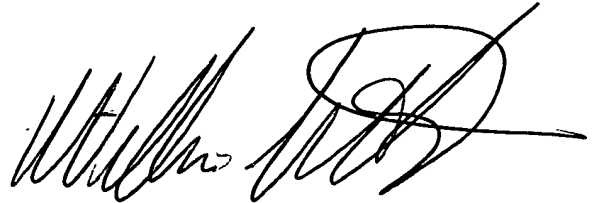
It is readily apparent that the purpose of the rectangular box of Zand is significantly different from the purpose of the rectangular box of the present invention, and that though both may help the student focus, the focus in Zand is entirely distinguished from the focus in the present invention. It would appear that the focus of Zand on a rectangle surrounding a single letter to enable comparison of that letter with adjacent other letters, is contrary to the focus of the present invention comprising a rectangle to distinguish one line of text from the other to enable registration of position.

In view of the foregoing, particularly in view of the amendment to claim 11 and the foregoing arguments distinguishing

the invention thereof from the Lin reference, it is submitted that claims 14 and 15 are distinguished from any combination of the Lin and Zand reference that would in any way render the present claimed invention of claims 11-16 obvious under the meaning of 35 USC 103(a) to one of ordinary skill in the art.

In view of the foregoing it is submitted that in addition to claims 1-10, 17 and 18, that claims 11-16 are in condition for allowance and action toward that end is respectfully requested.

Respectfully submitted,
CROSSETTA & ASSOCIATES

A handwritten signature in black ink, appearing to read 'William J. Crossetta, Jr.', with a large, stylized flourish at the end.

William J. Crossetta, Jr.
Reg. No. 25790
905 Convention Towers
43 Court Street
Buffalo, New York 14202

WJC/lmc

Tel: (716) 852-3935
Fax: (716) 856-3091

Dated: October 21, 2002